

EXHIBIT “L”

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

GARY B. FREEDMAN, ESQUIRE,
Administrator of the ESTATE OF ABRAHAM
STRIMBER, Deceased
and
BRACHA STRIMBER

No. 2:13-cv-03145-CD

v.

STEVEN FISHER, M.D.,
MARGO TURNER, M.D.,
KRISTINA A. MARTINEZ, CRNP,
MANOJ R. MUTTREJA, M.D.,
ABINGTON MEDICAL SPECIALISTS
ASSOCIATION, P.C., D/B/A ABINGTON
MEDICAL SPECIALISTS AND D/B/A AMS
CARDIOLOGY,
ABINGTON EMERGENCY PHYSICIAN
ASSOCIATES AND
ABINGTON MEMORIAL HOSPITAL

**DEFENDANT, ABINGTON MEMORIAL HOSPITAL'S RESPONSES TO
PLAINTIFFS' REQUEST FOR ADMISSIONS DATED MARCH 28, 2014**

1. Denied. To the contrary, the diagnoses on the outpatient coding summary attached as Exhibit A do not require physician approval.
2. Denied. To the contrary, Abington Memorial Hospital has no policy which requires that patients with complaints of chest pain who present to the Emergency Department undergo chest x-ray.
3. Denied. By way of further response, although "chest pain" is noted as a chief complaint on the medical records, answering defendant cannot admit that this complaint was made by Mr. Strimber because the same medical records document that Mr. Strimber denied


chest pain when asked by the health care providers who were providing care to him on February 22, 2012.

4. Admitted.

5. Denied. By way of further response, at the time of the submission of these responses, answering defendant cannot admit that the immediate cause of Abraham Stumber's death was a ruptured ascending aortic aneurysm. There was no post-mortem examination of the decedent performed, at the Plaintiffs' request, which would have likely identified Mr. Stumber's immediate cause of death.

CHRISTIE, PABARUE & YOUNG,
A Professional Corporation

BY:


HEATHER A. TERESHKO, ESQ.

Attorney for Defendants, Margo Turner, M.D., Kristina A. Martinez, CRNP, and Abington Memorial Hospital

Dated: 4/28/14

**UNITED STATES DISTRICT COURT FOR
THE EASTERN DISTRICT OF PENNSYLVANIA**

GARY B. FREEDMAN, ESQUIRE,
Administrator of the ESTATE OF
ABRAHAM STRIMBER, deceased

and

BRACHA STRIMBER

Plaintiffs,

v.

STEVEN FISHER, M.D., *et al.*

Defendants.

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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF
PENNSYLVANIA

No.: 2:13-cv-3145-CDJ

**PLAINTIFFS' REQUESTS FOR ADMISSIONS ADDRESSED TO
ABINGTON MEMORIAL HOSPITAL**

Pursuant to the Federal Rules of Civil Procedure, specifically F.R.C.P. 36, Plaintiff Gary B. Freedman, Esquire, Administrator of the Estate of Abraham Strimber and Bracha Strimber hereby propounds the following Requests for Admissions to be answered by Abington Memorial Hospital in accordance with the Federal Rules of Civil Procedure.

1. It is admitted that the diagnoses on the Outpatient Coding Summary attached hereto as Exhibit "A" were approved by Robert Watson, M.D. for submission to Abraham Strimber's Primary Insurance for payment.

2. It is admitted that on 2/22/2012 it was the policy of Abington Memorial Hospital that all patients with complaints of chest pain presenting to the Emergency Department receive chest xrays.

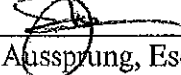
3. It is admitted that Abraham Strimber presented to the Abington Memorial Hospital Emergency Department on 2/22/2012 with a complaint of "chest pain."

4. It is admitted that no chest xray was performed on Abraham Strimber at any time on 2/22/2012.

5. It is admitted that the immediate cause of death of Abraham Strimber was a ruptured ascending aortic aneurysm.

Respectfully Submitted,

**LAW OFFICE OF
LEON AUSSPRUNG MD, LLC**

By: 
Leon Aussprung, Esquire
James Hockenberry, Esquire
One Commerce Square
2005 Market Street, Suite 2300
Philadelphia, PA 19107
(267)-809-8250

Dated: 3/28/14

CERTIFICATE OF SERVICE

I, Leon Aussprung, M.D., Esquire, and/or James E. Hockenberry, Esquire, hereby certify that on this 28th day of March, 2014, I caused a true and correct copy of the foregoing Plaintiffs' Requests for Admissions Addressed to Abington Memorial Hospital to be served upon the following persons via electronic mail and First Class mail, postage prepaid:

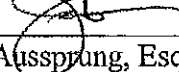
Donald Camhi, Esquire
Post & Schell, P.C.
1600 John F. Kennedy Blvd.
Philadelphia, PA 19103

James Young, Esquire
Heather Tereshko, Esquire
Christie, Pabarue, Mortensen and Young
1880 John F. Kennedy Boulevard, 10th Floor
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John Shusted, Esquire
German, Gallagher & Murtagh
The Bellevue – Suite 500
200 S. Broad Street
Philadelphia, PA 19102

Respectfully Submitted,

**LAW OFFICE OF
LEON AUSSPRUNG MD, LLC**

By: 
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James Hockenberry, Esquire
One Commerce Square
2005 Market Street, Suite 2300
Philadelphia, PA 19107
(267)-809-8250

Dated: 3/28/14

EXHIBIT “A”

Abington Memorial Hospital
1200 Old York Road
Abington, PA 19001

Outpatient Coding Summary

Facility Abington Memorial Hospital						
Patient Name STRIMBER, ABRAHAM		Sex Male	Birth Date 11/14/1950	Age 61	MR Number A0482935	Account Number 1205350964
Admit Date 02/22/12 12:35 PM	Discharge Date 02/22/12 10:49 PM	LOS 1	Primary Insurance BLUE CROSS PERSONAL CHOICE [309]		Disposition EXPIRED [20]	
Attending Physician WATSON, ROBERT		Patient Type Observation			Chart Status Record has been sent to billing	
Admit Diagnosis 78650 Unspecified chest pain						
Primary Diagnosis 4411 Thoracic aneurysm, ruptured						
Secondary Diagnosis 42789 Cardiac dysrhythmia 4589 Hypotension, unspecified 42611 First degree atrioventricular block V433 Heart valve replacement status						
Procedures				Provider	Date	
CPT Procedures and Modifiers				Provider	Date	
APC	CPT	APC Text	APC Weight	APC Pct		
Chart Notes				Coder cfriderick	Record Completion Date 02/24/12	